



# STATE OF IDAHO

## DEPARTMENT OF HEALTH AND WELFARE

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51

DIVISION OF ENVIRONMENT  
636 Pershing  
Pocatello, Idaho  
83201

14 March 1978

James B. Carpita, P.E.  
Beker Industries Corporation  
Box 37  
Conda, Idaho 83230

Dear Mr. Carpita:

We are in receipt of your letters dated 3 March 1978 and 23 February 1978 requesting authorization to discharge 300 acre-feet of settled tailings water, presently impounded by Beker Industries, to a ditch which ultimately drains to the lava beds about 3/4 mile from the point of the proposed discharge. The request is to prevent the possible overtopping of the embankments identified as #3 Tailings Empoundment. It is our understanding that unforeseen difficulties in starting up a new water reclaim system has made the request imperative.

This letter will serve as our authorization to proceed with the discharge, pending acceptance of the following conditions by Beker Industries:

1. Any liability incurred by the discharge will be limited solely to Beker Industries.
2. Authorization be secured from all affected property owners in the vicinity of the discharge, copy of which shall be submitted to our Departments for our records.
3. The returned discharge be set at no greater than 10 second feet.
4. Beker Industries' request for an emergency discharge be limited to one occurrence.

Again we would like to reiterate that Beker Industries should develop a contingency plan to handle future emergencies encountered. Failure to do so is cause for product curtailment.

EQUAL OPPORTUNITY EMPLOYER

FH0029481

Beker Industries  
14 March 1978  
Page 2

If we may be of further assistance in this matter, please do not  
hesitate to contact us.

Yours very truly,

Henry L. Moran, P.E.  
Rgnl. Environmental Supervisor

HLM/md  
CC: Dick Fleming  
Gary Greer  
Bob Wallace  
Al Murrey